THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.12328 of 2007

Date: 14.06.2007

Between:

M/s. Gati Limited.

....Petitioner

And

Transport Commissioner.

....Respondent

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.12328 of 2007

O R D E R:

The petitioner is a cargo carrying agency. Its vehicles were painted in yellow colour with its logo. Rule 295 of the A.P.Motor Vehicles Rules (for short 'the Rules') mandates that the rear and front portion of every transport vehicle must be painted in yellow colour. Since the colour pattern of the vehicles of the petitioner suited that, no problem arose.

In the recent past, the petitioner intended to change the colour of its vehicles to blue. It is naturally needed the relaxation from the requirement under Rule 295 of the Rules. Petitioner claims to have submitted a representation, dated 08.12.2006, seeking necessary relaxation. Its grievance is that no action has been taken thereon.

Heard the learned counsel for the petitioner and the learned Government Pleader for Transport.

Apart from making it mandatory that the rear and front portion of every transport vehicle must be painted in yellow colour, Rule 295 of the Rules empowers the Transport Commissioner to grant exemption therefrom. The question as to whether the petitioner satisfies the relevant factors, for grant of exemption,

needs to be examined by the respondent. The representation of the petitioner is pending consideration for the past six months. It cannot be kept pending any further.

Hence, the Writ Petition is disposed of, directing the respondent to pass appropriate orders on the representation of the petitioner, dated 08.12.2006, in accordance with the relevant provisions of law, within a period of four (4) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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14.06.2007

JSU